Applicant : Mark E. Kriegsman and Benjamin W.
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Serial No. : 09/668,110
Filed   : September 22, 2000
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Attorney's Docket No.: 11125-014001

REMARKS

Claim objections

In response to the Examiner's objection to claim 18, Applicant cancels that claim.

Section 102 rejection of claims 1 and 19

As best understood, the Examiner considers the step of requesting an update of an obsolete portion of a web page to be disclosed by *Challenger*'s teaching of

> *"communication to a cache, one or more of: information about at least part of the data which has changed; and information which includes the identity of at least one object whose value has changed as the result of the changes to the data; and information which allows the identity to be determined of at least one object whose value has changed as the result of the changes to the data; and updating a cache, in response to the communicating step."*[1]

Applicant submits that this does not teach *requesting* an update. This merely teaches that a cache manager **3001** receives a communication concerning certain changed data. As anyone who has been plagued by spam knows, the mere fact that one *receives* a communication does not mean that one has *requested* one.

In fact, the cache manager **3001** disclosed by *Challenger* is passive. It does not *request* a communication. It merely awaits one. In particular, it does not request "an update of said obsolete portion" in response to a trigger event. The cache manager **3001** has no way of even knowing that a triggering event has occurred, unless it first receives a communication from the trigger monitor **3000**.

The essential passivity of the *Challenger* cache managers is unmistakably described as follows:

> *"In accordance with the present invention, when a change to an object source such as the database 3010 occurs which might affect the value of one or more objects 3004 stored in a cache 3003, a trigger monitor 3000 notifies each cache manager 3001 of the objects whose values have changed. The trigger monitor*

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[1] *Challenger* et al., U.S. Patent No. 6,256,712, at col. 3, lines 12-19.

> *3000 might inform a cache manager 3001 that an object 3004 in its cache 3003 has changed.*"[2]

That communication proceeds *from* the data server node *to* the cache manager is further supported by the directions of the arrows in FIG. 30A, all of which lead *from* the data server node 3102 toward the cache managers 3001.

Having received a communication from the trigger monitor 3000, the cache manager 3001 does not *request* an update of objects 3004 stored in cache. Instead, the cache manager 3001 invalidates obsolete objects 3004 so that they cannot be served inadvertently. Alternatively, cache manager 3001 receives unsolicited replacement objects from the database 3010 in the data server node 3102. The cache manager's activity in response to receiving a communication from the trigger monitor 3000 is summarized thus:

> *"In this case, the cache manager 3001 could invalidate its copy of the object 3004. Alternatively, the trigger monitor 3000 could inform a cache manager 3001 that an object 3004 has changed and also provide the new value of the object 3004."*[3]

The distinction between the passive cache managers 3001 of *Challenger* and the claimed subject matter is a significant one. In the *Challenger* system, all remote nodes 3108 receive the *same* communication from the trigger monitor 3000. In contrast, in a system incorporating the invention, each cache server 14 *decides for itself* whether or not it requires replacement data. Consequently, each cache server 14 is able to maintain its own specific trigger condition, which may be different from trigger conditions maintained by other cache servers 14.

Claims 2-10 depends on claim 1 and include the limitations thereof. Accordingly, those claims are patentable for at least the same reasons as claim 1.

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[2] *Challenger*, col. 28, line 63 to col. 29, line 2.
[3] *Challenger*, col. 29, lines 2-6.

Claims 19-28 are drawn to computer-readable media that carry software for carrying out the method of claim 1 and its progeny. Accordingly, these claims are patentable for at least the same reason as claim 1.

Section 103 rejection

The section 103 rejections all rely on *Challenger*. As pointed out above, *Challenger* fails to disclose the step of requesting an update of an obsolete portion of a web page. The additional references that are to be combined with *Challenger* do not make up for this fundamental deficiency in *Challenger*'s disclosure. Accordingly, the section 103 rejection cannot properly be sustained.

Section 102 rejection of claim 13

Applicant amends claim 13 to move clearly express the distinction between the passive cache manager **3001** of *Challenger* and the applicant's cache manager **24**.

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Summary

Enclosed is a fee for a three-month extension. No other fees are believed to be due in connection with the filing of this response. However, to the extent fees are due, or if a refund is forthcoming, please adjust our deposit account 06-1050, referencing attorney docket no. 11125-014001.

Respectfully submitted,

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